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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Herbert Bächler et al.
Serial No.: 10/765,250
Filed: January 27, 2004
Title: "METHOD TO LOG DATA IN A HEARING DEVICE AS WELL AS A
HEARING DEVICE"
Docket No.: 35461US1

REQUEST TO CORRECT INVENTORSHIP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that the above referenced patent application be amended to name the actual inventors pursuant to 37 C.F.R. § 1.48. The inventive entity as set forth in the § 1.63 declaration filed on March 17, 2004 is in error. Inventors Hans-Ueli Roeck and Christoph Widmer were erroneously excluded from the § 1.63 declaration. The error arose without any deceptive intent on the part of Mr. Roeck or Mr. Widmer. Accordingly, Applicants request that the above referenced patent application be amended to include Mr. Roeck and Mr. Widmer as an inventor so that the actual inventors of the claimed subject matter are named in the application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Michael W. Garvey
Name of Attorney for Applicant(s)

August 17, 2004
Date

Signature of Attorney

08/20/2004 WASFAW1 00000004 10765250

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130.00 OP

Enclosed are the following:

- (1) A statement from Mr. Roeck that the error in inventorship occurred without deceptive intent on his part.
- (2) A statement from Mr. Widmer that the error in inventorship occurred without deceptive intent on his part.
- (3) A declaration by the actual inventors as required by § 1.63.
- (4) A check for the processing fee of \$130.
- (5) The written consent of the assignee, Phonak AG, to the correction of inventorship.
- (6) Copy of originally submitted Assignment
- (7) Copy of Assignment by two added inventors

If there are any further fees resulting from this communication not covered by the enclosed check, please charge the same to Deposit Account No. 16-0820, Order No. 35461US1

Respectfully submitted,

PEARNE & GORDON LLP

By 

Michael W. Garvey, Reg. No. 35878

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

August 17, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Herbert Bächler
Serial No.: 10/765,250
Filed: January 27, 2004
Title: METHOD TO LOG DATA IN A HEARING DEVICE AS WELL AS A
HEARING DEVICE"
Docket No.: 35461US1

STATEMENT OF INVENTOR BEING ADDED TO U.S. PATENT
APPLICATION NO. 10/655,383 PURSUANT TO 37 C.F.R. § 1.48

I, Hans-Ueli Roeck, a resident of CH-8634 Hombrechtikon, Switzerland, hereby declare that I, without deceptive intent on my part, was erroneously omitted from U.S. Patent Application No. 10/765,250.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: M. Roeck
Hans-Ueli Roeck

Date: 8.7.04



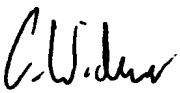
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Herbert Bächler
Serial No.: 10/765,250
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Title: METHOD TO LOG DATA IN A HEARING DEVICE AS WELL AS A
HEARING DEVICE"
Docket No.: 35461US1

STATEMENT OF INVENTOR BEING ADDED TO U.S. PATENT
APPLICATION NO. 10/655,383 PURSUANT TO 37 C.F.R. § 1.48

I, Christoph Widmer, a resident of CH-8342 Wernetshausen, Switzerland, hereby declare that I, without deceptive intent on my part, was erroneously omitted from U.S. Patent Application No. 10/765,250.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: 
Christoph Widmer

Date: 12.7.04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Herbert Bächler
Serial No.: 10/765,250
Filed: January 27, 2004
Title: "METHOD TO LOG DATA IN A HEARING DEVICE AS WELL AS A
HEARING DEVICE"
Docket No.: 35461US1

ASSIGNEE CONSENT TO CORRECTION OF INVENTORSHIP

Phonak AG, a corporation of Switzerland, having a place of business at Laubisrütistrasse 28, CH-8712 Stäfa, Switzerland, is the assignee of the entire right, title, and interest in U.S. Patent Application No. 10/765,250. The assignment of said application was submitted to the U.S. Patent and Trademark Office on March 17, 2004 and is attached hereto. Phonak AG hereby consents to the amendment of the subject application to correct inventorship by adding as named inventors Hans-Ueli Roeck who resides at CH-8634 Hombrechtikon, Switzerland and Christoph Widmer who resides at CH-8342 Wernetshausen, Switzerland.

Name: PETER DATINA

Title: COORDINATOR IPR

Signature: P. Datina

Date: July 8, 2004

ASSIGNMENT

P204000

WHEREAS, new and useful improvements have been made by the undersigned in

"METHOD TO LOG DATA IN A HEARING DEVICE AS WELL AS A HEARING
DEVICE"

for which an application for Letters Patent of the United States was filed on January 27, 2004, which application is identified by Serial No. 10/765,250 (Pearne & Gordon LLP Docket No. 35461US1).

WHEREAS, Phonak AG, a corporation of Switzerland, having a place of business at Laubisrütistrasse 28, CH-8712 Stäfa, Switzerland, hereinafter referred to as "assignee", is desirous of acquiring all right, title, and interest throughout the world in, to, and under said improvements and inventions and patent rights therefor.

NOW, THEREFORE, be it known that, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, all right, title, and interest, in the United States and throughout the world, in, to and under said improvements and inventions and all patents, patent applications, patent rights, and inventors' certificates thereof, therefor, and therein, including without limitation said application for patent in the United States, all divisions and continuations thereof, all patents which may be granted thereon, all reissues and extensions thereof, all right to sue for past infringement thereunder, all patents which may be granted for said improvements and inventions by states or nations other than the United States, or by other authority, entity, or organization, and all applications therefor, have been and are hereby sold, assigned, transferred, and delivered unto assignee, its successors and assigns; and it is covenanted and agreed by the undersigned, and for executors, administrators, and legal representatives of the undersigned, that at assignee's request any and all applications, affidavits, assignments, and other instruments will be made, executed, and delivered as may be necessary, or desirable to secure for or vest in assignee, its successors or assigns, any improvement, inventions, right, title, interest, application, patent, patent right or other right or property covered by this assignment, and the United States Commissioner of Patents and Trademarks is hereby requested and authorized to issue any and all United States patents granted on any of said applications to assignee as owner of the entire right, title, and interest in, to, and under the same, and appropriately empowered officials of foreign countries are hereby authorized to issue any letters patent granted on any of said applications to assignee as owner of the entire right, title and interest in, to, and under the same.

The undersigned hereby grant the firm of Pearne & Gordon LLP the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, this assignment has been executed below by the undersigned:

(1) Inventor Name (sole): Herbert Bächler ✓

Signature: H. Bächler

Today's Date: March 1, 2004

Date I Signed Declaration: March 1, 2004

Witness: P. Odi

Witness: B. Haller

(2) Inventor Name (sole): Volker Kühnel ✓

Signature: V. Kühnel

Today's Date: March 1, 2004

Date I Signed Declaration: March 1, 2004

Witness: P. Odi

Witness: B. Haller

(3) Inventor Name (sole): Silvia Allegro ✓

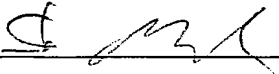

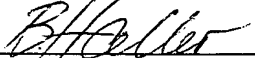
Signature: S. Allegro

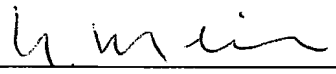
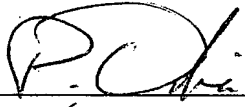
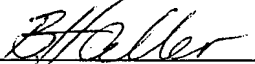
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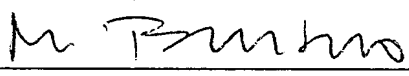

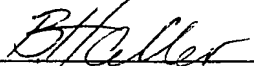
Date I Signed Declaration: March 2, 2004

Witness: P. Odi

Witness: B. Haller

(4) Inventor Name (sole): Stefan Daniel Menzl ✓
Signature: 
Today's Date: March 1, 2007
Date I Signed Declaration: March 1, 2007
Witness: 
Witness: 

(5) Inventor Name (sole): Hilmar Meier ✓
Signature: 
Today's Date: March 1, 2007
Date I Signed Declaration: March 1, 2007
Witness: 
Witness: 

(6) Inventor Name (sole): Michael Boretzki ✓
Signature: 
Today's Date: March 1, 2007
Date I Signed Declaration: March 1, 2007
Witness: 
Witness: 

(7) Inventor Name (sole): Stefan Launer ✓

Signature: Stefan Launer

Today's Date: March 1, 2004

Date I Signed Declaration: March 1, 2004

Witness: P. O. J.

Witness: B. Haller

(8) Inventor Name (sole): Ivo Hasler ✓

Signature: Ivo Hasler

Today's Date: March 1, 2004

Date I Signed Declaration: March 1, 2004

Witness: P. O. J.

Witness: B. Haller

ASSIGNMENT

WHEREAS, new and useful improvements have been made by the undersigned in

“METHOD TO LOG DATA IN A HEARING DEVICE AS WELL AS A HEARING DEVICE”

for which an application for Letters Patent of the United States was filed on January 27, 2004, which application is identified by Serial No. 10/765,250 (Pearne & Gordon LLP Docket No. 35461US1).

WHEREAS, Phonak AG, a corporation of Switzerland, having a place of business at Laubisrütistrasse 28, CH-8712 Stäfa, Switzerland, hereinafter referred to as "assignee", is desirous of acquiring all right, title, and interest throughout the world in, to, and under said improvements and inventions and patent rights therefor.

NOW, THEREFORE, be it known that, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, all right, title, and interest, in the United States and throughout the world, in, to and under said improvements and inventions and all patents, patent applications, patent rights, and inventors' certificates thereof, therefor, and therein, including without limitation said application for patent in the United States, all divisions and continuations thereof, all patents which may be granted thereon, all reissues and extensions thereof, all right to sue for past infringement thereunder, all patents which may be granted for said improvements and inventions by states or nations other than the United States, or by other authority, entity, or organization, and all applications therefor, have been and are hereby sold, assigned, transferred, and delivered unto assignee, its successors and assigns; and it is covenanted and agreed by the undersigned, and for executors, administrators, and legal representatives of the undersigned, that at assignee's request any and all applications, affidavits, assignments, and other instruments will be made, executed, and delivered as may be necessary, or desirable to secure for or vest in assignee, its successors or assigns, any improvement, inventions, right, title, interest, application, patent, patent right or other right or property covered by this assignment, and the United States Commissioner of Patents and Trademarks is hereby requested and authorized to issue any and all United States patents granted on any of said applications to assignee as owner of the entire right, title, and interest in, to, and under the same, and appropriately empowered officials of foreign countries are hereby authorized to issue any letters patent granted on any of said applications to assignee as owner of the entire right, title and interest in, to, and under the same.

The undersigned hereby grant the firm of Pearne & Gordon LLP the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, this assignment has been executed below by the undersigned:

(1) Inventor Name (sole): Hans-Ueli Roeck

Signature: H. Roeck

Today's Date: 8.7.04

Date I Signed Declaration: 8.7.04

Witness: B. Haller

Witness: P. Olin

(2) Inventor Name (sole): Christoph Widmer

Signature: C. Widmer

Today's Date: 12.7.04

Date I Signed Declaration: 12.7.04

Witness: B. Haller

Witness: P. Olin



DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION

☐ Submitted with Initial Filing

☒ Submitted after Initial Filing
(Surcharge (37 CFR 1.16(e)) required)

Attorney Docket No.: 35461US1

Application Number: 10/765,250

First Named Inventor: Herbert Bächler

Filing Date: January 27, 2004

Group Art Unit: _____

Examiner Name: _____

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**“METHOD TO LOG DATA IN A HEARING DEVICE AS WELL AS A
HEARING DEVICE”**

the specification of which (check only one item below)

☐ is attached hereto,

OR

☒ was filed on (MM/DD/YYYY) January 27, 2004 as United States Application Number or PCT International Application Number 10/765,250 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

As a named inventor, I hereby appoint practitioners at Customer No. 000116 as my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Address all correspondence to Customer Number 000116.

Please direct all correspondence and inquiries to Michael W. Garvey at (216) 579-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- (1) Inventor Name (sole or joint): Herbert Bächler

Signature: 

Date: 22.07.04

Citizenship: Switzerland

Residence (City, State, Country): CH-8706 Meilen, Switzerland

Post Office Address: Gruebstrasse 11, CH-8706 Meilen, Switzerland

- (2) Inventor Name (sole or joint): Volker Kühnel

Signature: 

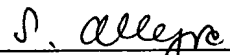
Date: 26.7.04

Citizenship: Germany

Residence (City, State, Country): CH-8708 Männedorf, Switzerland

Post Office Address: Hofenstrasse 72c, CH-8708 Männedorf, Switzerland

- (3) Inventor Name (sole or joint): Silvia Allegro

Signature: 

Date: 20.7.04

Citizenship: Switzerland

Residence (City, State, Country): CH-6314 Unterägeri, Switzerland

Post Office Address: Grossmatt 53, CH-6314 Unterägeri, Switzerland

(4) Inventor Name (sole or joint): Stefan Daniel Menzl

Signature: 

Date: 19.7.09

Citizenship: Switzerland

Residence (City, State, Country): CH-8465 Jona, Switzerland

Post Office Address: Zürcherstrasse 65, CH-8465 Jona, Switzerland

(5) Inventor Name (sole or joint): Hilmar Meier

Signature: 

Date: 12.07.04

Citizenship: Liechtenstein

Residence (City, State, Country): CH-8008 Zürich, Switzerland

Post Office Address: Geranienstrasse 12, CH-8008 Zürich, Switzerland

(6) Inventor Name (sole or joint): Michael Boretzki

Signature: 

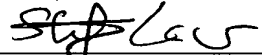
Date: 26.7.14

Citizenship: Germany

Residence (City, State, Country): CH-8630 Rüti, Switzerland

Post Office Address: Weinbergstrasse 13, CH-8630 Rüti, Switzerland

(7) Inventor Name (sole or joint): Stefan Launer

Signature: 

Date: 23.7.04

Citizenship: Germany

Residence (City, State, Country): CH-8053 Zürich, Switzerland

Post Office Address: Im Trichtisal 39, CH-8053 Zürich, Switzerland

(8) Inventor Name (sole or joint): Ivo Hasler

Signature: I. Hasler

Date: 8.7.04

Citizenship: Switzerland

Residence (City, State, Country): CH-8404 Winterthur, Switzerland

Post Office Address: Gebhartstrasse 18c, CH-8404 Winterthur, Switzerland

(9) Inventor Name (sole or joint): Hans-Ueli Roeck

Signature: H. Roeck

Date: 8.7.04

Citizenship: Switzerland

Residence (City, State, Country): CH-8634, Hombrechtikon, Switzerland

Post Office Address: Heusserstrasse 27, CH-8634, Hombrechtikon, Switzerland

(10) Inventor Name (sole or joint): Christoph Widmer

Signature: C. Widmer

Date: 12.7.04

Citizenship: Switzerland

Residence (City, State, Country): CH-8342 Wernetshausen, Switzerland

Post Office Address: Rebacher 13, CH-8342 Wernetshausen, Switzerland